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6 Attorneys for Plaintiff Wells Fargo Bank, N.A.

7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF NEVADA**

10 Wells Fargo Bank, National Association,
11 Plaintiff,

12 vs.

13 Yoel Iny and Tikva Iny, husband and wife;
Yoel Iny, as Trustee of the Y&T Iny Family
Trust Agreement dated June 8, 1994; Noam
14 Schwartz and Rachel Elmalam, husband and
wife; Noam Schwartz, as Trustee of the Noam
15 Schwartz Trust dated August 19, 1999; 613
Investments, LLC, a Nevada limited liability
company; NST Holdings, Inc., as Trustee of
16 the NS 1998 Family Trust; Rachel Schwartz,
as Trustee of the Leenoy Coreen Qualified
17 Personal Retirement Trust; Triangle Trading
Ltd., a Nevada corporation; Haskel Iny; Nira
18 Sayegh; and Does 1 through 100, inclusive,
19

20 Defendants.

Case No. 2:13-cv-1561-MMD-NJK

JOINT INTERIM STATUS REPORT

21 Pursuant to Local Rule 26-3, the parties hereby submit an interim status report.

22 **I. STATUS OF DISCOVERY.**

- 23 • Plaintiff Wells Fargo Bank, N.A. has served requests for production and subpoenas
24 to third parties Defendants filed a Motion to Quash the Subpoenas and Motion for
25 Protective Order. The Court denied Defendants' Motion to Quash. The Motion for
26 Protective Order was granted in part and denied in part. The Magistrate Judge
27 ordered that only documents from 2009 needed to be produced given Plaintiff had
28 already agreed to that limitation. The Magistrate Judge further ordered that the

parties submit a joint stipulated protective order limiting the use and access of Defendants' financial information. . To date, no documents have been provided to Wells Fargo pursuant to its requests for production and subpoenas. .

- Defendants noticed the Rule 30(b)(6) deposition of Wells Fargo for April 8, 1014. The deposition has now been re-noticed for May 14, 2014. Defendants have served a first set of requests for production, and Plaintiff has served responses to the same. Defendants intend on propounding further written discovery and conducting depositions before the end of discovery.
- The parties have discussed the possibility of a global mediation concerning all of the pending litigation between them. The parties are amenable to such a mediation. Defendants proposed mediators, but, at this point, nothing has been scheduled.

II. PENDING MOTIONS.

The following motions are fully brief and pending before the Court:

- Defendants' Motion for Summary Judgment [Dkt. 24]
- Defendant Ronnie Schwartz's Motion to Dismiss [Dkt. 38]
- Plaintiff's Motion for Leave to Amend Complaint [Dkt. 39]
- Defendants' Objection to Discovery Plan and Motion to Stay [Dkt. 49]
- Defendants' Emergency Motion to Set Hearing on Motion for Summary Judgment [Dkt. 50]

III. ESTIMATED LENGTH OF TRIAL.

A. Plaintiff's Statement.

Wells Fargo estimates that the trial in this matter would take approximately five (5) court days to complete. Counsel for Wells Fargo has available trial dates: the week of September 22, 2014, the week of October 6, 2014, or the week of October 13, 2014, however, given the lack of any document production to date, it may be necessary to extend discovery in this matter, which may affect the date this case is ready for trial.

1 Wells Fargo intends to file a motion for summary judgment with respect to Defendants'
2 Counterclaim and the anticipated length of the trial could be reduced if Wells Fargo prevails on
3 that motion.

4 **B. Defendants' Statement.**

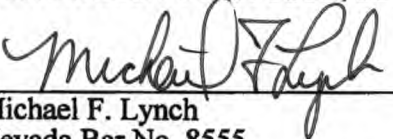
5 Defendants estimate that the trial in this matter would take approximately five (5) court
6 days to complete. Counsel for Defendants has available trial dates on the following:

- 7 • The week of September 15, 2014;
8 • The week of October 13, 2014; and
9 • The week of October 20, 2014.

10 The need for trial may be eliminated or its length affected by the motions filed by
11 Defendants.

12 Dated May 12, 2014.

13 **LYNCH LAW PRACTICE, PLLC**

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